

REMARKS

35 U.S.C. §112 REJECTION

The Office Action rejects claims 20 and 22-38 under 35 U.S.C. §112 first paragraph as failing to comply with the written description requirement. The Applicant respectfully submits that support for the “discrete passage” cited in the amended independent claims 20, 25 and 33 is found in paragraphs 28 and 51 of the present specification. Paragraph 28 states in part “A passage member 74 in the illustrated embodiment is a tubular member or tube having a passage 76 that connects the exterior of the reservoir assembly 50 in fluid communication with the supply/service chamber 64 and that also passes through the purge reservoir 52 and is in fluid communication with the purge chamber 66 through a purge passageway or purge orifice 80.” Paragraph 51 states in part “The body tube 142 defines a single passage 144 that extends between the service or supply reservoir 52b and the exterior of the purge reservoir 60b.” In addition, the Applicant establishes that a drawing can serve as sufficient written description to satisfy the §112 requirement. Cooper Cameron Corp. v Kvaerner Oilfield Prods., 291 F.3d 1317 (Fed. Cir. 2002). Figures 1, 2, 4 and 6 of the present specification all show embodiments where the passage member 74 establishes direct fluid communication between the reservoir and the air supply system. The delivery valve is located in the passage but is removable as stated in paragraph 52. Therefore, the discrete passage is fully described by the specification. Additionally, the “direct fluid communication” is also supported by paragraph 28, as cited above. The Application respectfully requests that the 112 rejection of claims 20 and 22 through 38 be withdrawn.

35 U.S.C. §102(b) REJECTION

The Office Action rejects **claims 20, 22, 25-31 and 33-36** as being anticipated by Thomas (USPN 6391098.) The Thomas reference, while showing a valve 52 in a baffle inside a reservoir, does not show or disclose this valve making direct fluid communication with the air

supply from the air dryer. The valve disclosed in Thomas communicates from a purge chamber to a service chamber within the reservoir itself. This valve does not communicate with the exterior of the reservoir.

The Office Action rejects **claims 20, 22-31 and 33-38** as being anticipated by Kojima (USPN 4655801.) The Kojima reference, while showing a fitting 9 formed the purge tank wall, does not show or disclose this fitting making internal direct communication between the air supply from the air dryer and the supply reservoir. The fitting is only supported by one wall of the reservoir. There is a separate external conduit 11 in Kojima which facilitates the fluid communication between the purge chamber and the service chamber. As will be described, independent claims 20, 25 and 33 of the present invention have been amended to further define the discrete passage member and further describe how it establishes direct fluid communication between the air source and supply reservoir, which distinguishes the present invention from both of the cited references.

The Applicant appreciates the Examiner's suggestion and amended claims 20, 25 and 33 to more clearly define the second end of the present invention passage member. **Claim 20** now recites in part "a passage member defining a discrete passage extending through said purge chamber, a first end of said passage member defining a port in a first wall portion for establishing direct fluid communication between said reservoir and the air supply system and a second end of said passage member defining an opening in a second wall portion." **Claim 25** now recites in part "a passage member forming a discrete passage extending through the interior of said purge reservoir between a port at a first end of the passage member for fluid communication to said air dryer and an opening in a second end of the passage member for fluid communication to said

downstream reservoir section, the discrete passage being in direct fluid communication with said air dryer and said downstream section.” **Claim 33** now recites in part “means for defining a discrete passage extending through said purge chamber, said means further including means for defining a port at a first end of the discrete passage and a means for defining an opening in a second end of the discrete passage for establishing direct fluid communication between a said supply or service chamber located at the second end of the discrete passage and the air supply system located at the first end of the discrete passage.” The present claim amendments are supported in Figures 1 and 2 as well as in paragraph 28 of the present specification, which states in part "A passage member 74 extends between the opening 70 in the outer wall 68 of the purge reservoir, and the opening 72 in the baffle 62." The claims show how the first end and second end of the passage member are related to the reservoir construction and how the passage member establishes direct fluid communication between the air supply system and the supply/service reservoir.

Thomas does not have a first end defining a port in a first wall portion, but rather the Thomas passage member is only held by one wall, the interior baffle. The Thomas passage member does not pass through the purge chamber as in the present invention. The fitting of the Kojima reference is supported by a single exterior wall on the reservoir. The fitting of the Kojima reference does not pass through the purge chamber as in the present invention. Therefore neither the Kojima reference nor the Thomas reference has the formation features of the passage member of the present invention as described in the presently amended claims 20, 25, 33.

For the reasons stated above, the Applicant respectfully requests that the rejections of claims 20, 25 and 33 be withdrawn and amended independent claims 20, 25 and 33 be allowed.

Application No. 10/682,218

Reply dated

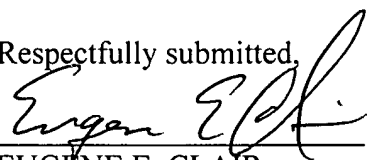
In response to Office Action dated June 19, 2006

Since claims 22 through 24 depend upon the allowable amended claim 20, they are allowable for at least the same reasons. The Applicant respectfully requests the withdrawal of the rejections of claims 22 through 24 and that claims 22 through 24 be allowed. Since claims 26 through 31 depend upon the allowable amended claim 25, they are allowable for at least the same reasons. The Applicant respectfully requests the withdrawal of the rejection of claims 26 through 31 and that claims 26 through 31 be allowed. Since claims 34 through 38 depend upon the allowable amended claim 33, they are allowable for at least the same reasons. The Applicant respectfully requests the withdrawal of the rejection of claims 34 through 38 and that claims 34 through 38 be allowed.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the pending claims 20 and 22 through 38 distinguish patentably over the references of record. Accordingly, the application is now in condition for allowance and allowance is respectfully requested. Please charge any deficiency or credit any overpayment in fees to this reply to Deposit Account No. 50-3716.

Respectfully submitted,



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